

## Message Text

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ACTION L-01

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FM AMEMBASSY SAN JOSE

TO SECSTATE WASHDC 1439

C O N F I D E N T I A L SAN JOSE 3909

E.O. 11652: GDS

TAGS: PFOR, PGOV, CS

SUBJECT: VESCO EXTRADITION

LIMDIS

1. EMBASSY OFFICERS IN PAST WEEKS HAVE RECEIVED QUERIES FROM PROMINENT COSTA RICANS ABOUT USG INTENTIONS IN VESCO CASE. IN RAISING THESE QUESTIONS THE COSTA RICANS HAVE EXPRESSED VIEW THAT U.S. SEEMS TO HAVE LOST INTEREST IN VESCO. BECAUSE THEY ARE UNAWARE OF OUR EXPRESSIONS OF SUCH INTEREST TO ODUBER GOVERNMENT, THEY SURMISE THERE WILL BE NO MOVEMENT ON VESCO BECAUSE USG HAS MADE A DECISION NOT TO PURSUE IT.

2. MOST RECENT -- AND DISTURBING -- INDICATIONS OF THIS THINKING ARE FROM OPPOSITION DEPUTY AND SPONSOR OF ABROGATION OF "VESCO" EXTRADITION LAW, JUAN JOSE ECHEVERRIA BREALAY, AND LAW SCHOOL DEAN EDUARDO ORTIZ. ECHEVERRIA THINKS THAT VESCO STILL HAS FRIENDS IN THE U.S. ADMINISTRATION WHO NEED HIS SUPPORT IN THE NEXT ELECTION AND ARE WORKING AGAINST A NEW EXTRADITION ATTEMPT WITHIN THE USG. THUS, HE CONCLUDES, THE USG HAS MADE A "POLITICAL DECISION" NOT TO PURSUE THE CASE.

3. EDUARDO ORTIZ, A HIGHLY RESPECTED LAWYER AND LAW SCHOOL DEAN -- WHOM THE EMBASSY HAS APPROACHED TO ADVISE THE JUSTICE DEPARTMENT IN ONE A NECT OF THE INTER-AMERICAN CAPITAL INVESTIGATION -- LAST WEEK TOLD EMBOFFS THAT OPPOSITION LEGISLATORS AND OTHERS FEEL THAT U.S. NO LONGER HAS INTEREST IN VESCO.

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4. OPPOSITION LEGISLATORS, MEDIA CONTACTS, AND POLITICIANS HAVE EXPRESSED SIMILAR VIEWS. IN RECENT CONVERSATION WITH EMBOFF, EVEN A LAWYER WHO REPRESENTS EX-PRESIDENT FIGUERES AND SOME VESCO-RELATED ENTERPRISES SUGGESTED THAT THE U.S. WILL NOT ATTEMPT EXTRADITION AGAIN.

5. RESPONSE OF EMBOFFS TO ALL THE FOREGOING HAS BEEN THAT CIVIL AND CRIMINAL INVESTIGATIONS CONTINUE ON VARIOUS VESCO ACTIVITIES, THAT INDICTMENTS ARE OUTSTANDING, THAT JUSTICE DEPARTMENT AT PRESENT IS WORKING ON NEW INDICTMENTS, AND THAT USG IS STILL SERIOUS ABOUT EXTRADITION. NATURALLY, DIFFICULTIES ENTAILED WITH CURRENT EXTRADITION LAW ARE ALSO POINTED OUT, ALONG WITH EMBASSY VIEW THAT AS LAW IS NOW WRITTEN IT WOULD BE VIRTUALLY IMPOSSIBLE TO EXTRADITE VESCO.

6. REACTION TO EMBOFF'S EXPLANATIONS RANGE FROM POLITE ACCEPTANCE TO INCREDULITY. WE ARE AT A LOSS TO COME UP WITH ANY OTHER FACTS, EXPLANATIONS, OR ARGUMENTS TO COUNTERACT THINKING THAT HAS DEVELOPED HERE AMONG COSTA RICANS WHO SHARE USG CONCERNS ABOUT VESCO. IT IS IN THIS SPIRIT THAT EMBASSY INVITES DEPARTMENT'S ADVICE AND SUGGESTIONS ON HOW TO DO A BETTER JOB OF CONVINCING THESE KEY COSTA RICANS THAT THE USG IS SERIOUS ABOUT VESCO CASE. TODMAN

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